

HB5326 – Count Naturally Affordable in 8-30g & allow ADUs Opt Out

Chairs Representative Luxenberg, Senator Moore, Ranking Members Representative Scott Senator Sampson, and members of the committee, my name is Maria Weingarten. I am a realtor, a former auditor with PwC and currently serve as a member of New Canaan's Board of Finance. I am here as an individual citizen and as a founder of CT169Strong to speak in opposition to HB6633, the Fair Share Plan.

[HB 5326](#), An Act Concerning the Affordable Housing Appeals Process And Removing The Municipal Opt-Out Deadline For Accessory Apartments.

- 1) Allows all municipalities, including those that missed the January 1, 2023 deadline to opt out of accessory apartment provisions under PA 21-29 (and thus set their standards). Note that the parking cap standards under PA 21-29 did not include an opt-out deadline. During the passage in 2021 of HB6107, municipalities were given the opportunity to opt out of the rule allowing accessory dwelling units everywhere

In WestCOG, all cities, suburbs and rural communities OPTED OUT of the one size fits all rule on ADUs. This shows that ALL municipalities felt that local decision making was best when considering ADU zoning policy. One size policy does not allow flexibility for future changes in municipalities. Please remove the deadline to allow those municipalities that did not opt out by the deadline to decide what is best for their local communities.

- 2) Counts naturally-occurring (i.e., not deed-restricted) affordable housing towards the 10% threshold under CGS §8-30g.
 - Naturally occurring affordable housing exists everywhere in CT, but it is not considered in the 10% calculation under 8-30g. Allowing naturally affordable gives credit to towns for residents that are also living affordably in their communities but not accounted for by the 4 columns.
 - Recognizing existing affordable housing acknowledges that residents statewide do access affordable rentals in the existing housing markets even without deed restrictions or the development of affordable housing, which is very expensive to produce. Towns provide services to all residents, including those living in naturally affordable housing and thus should be recognized and included in the 8-30g calculation.
 - Deed restrictions on owner-occupied affordable housing limit the natural increase in property values, so owners are not able to recognize the full appreciation in equity of the property., limiting creation of generational wealth.

Why the current 8-30g 10% calculation is RIGGED should be REFORMED:

Due to diverse real estate markets statewide, many of the 4 categories are not available to most towns to reach the 10% threshold and get relief from 8-30g. State and Federal subsidies are provided to the largest cities, and that is why they have 10% under 8-30g. Meanwhile other municipalities are vilified for not developing more affordable housing on their own while they are not provided the same vouchers and grants that cities receive and have very different market conditions.

- The 10% threshold onerous and hard to reach for most municipalities: only 31 of 169 municipalities have reached 10%, and of those only 13 of 169 have Government assisted housing (Column 1) over 10%.
- The state uses taxpayer dollars to fund AH development (Column 1) but most of that only goes to the largest cities, helping them hit their 10% under 8-30g. This public policy has concentrated poverty in the

- Housing vouchers – Tenant Rental Assistance (RAP) (Column 2) are mostly distributed by the state to the largest housing authorities in the cities and they impose rules that keep residents unable to move to other parts of the state by limiting the voucher portability. It's time to centralize and reform the voucher program and waitlists so residents can live where they want.
- Residents of many towns cannot qualify for CHFA (income and property value caps) & USDA (farmland) loans (Column 3) and deed restriction of properties (Column 4) is limited because deed restricted property values do not increase at the same rate as market value.

Expecting municipalities to get to a 10% when most must rely on self-funding of costly affordable housing development is not realistic and a false equivalent considering all the federal and state funding provided to the largest cities for Column 1 & Column 2 as shown in the chart of the 31 exempt municipalities.

Please support HB5326

Maria Weingarten,

New Canaan, CT

31 Municipalities Exempted from 8-30g by 4 Defined Criteria												
31 EXEMPT	2010	Government Assisted			Tenant Rental		CHFA/USDA		2021 Deed			2,021
MUNICIPALITY	Total	Housing	2021		Assistance	2021	Loans 2021		Restricted		2021 Total	%
	Housing Units	Total	>=10%	%	Total	%	Total	%	Total	%	Assisted	Assist
Ansonia	8,148	366	FALSE	4%	799	10%	138	2%	-	0%	1,303	16%
Bloomfield	9,019	574	FALSE	6%	114	1%	303	3%	-	0%	991	11%
Bridgeport	57,012	6,949	1	12%	4,351	8%	815	1%	19	0%	12,134	21%
Bristol	27,011	2,006	FALSE	7%	950	4%	1,031	4%	-	0%	3,987	15%
Danbury	31,154	1,652	FALSE	5%	1,258	4%	465	1%	221	1%	3,596	12%
Derby	5,849	275	FALSE	5%	314	5%	102	2%	-	0%	691	12%
East Hartford	21,328	1,593	FALSE	7%	809	4%	964	5%	-	0%	3,366	16%
East Windsor	5,045	559	1	11%	37	1%	102	2%	-	0%	698	14%
Enfield	17,558	1,360	FALSE	8%	221	1%	592	3%	7	0%	2,180	12%
Groton	17,978	3,727	1	21%	103	1%	335	2%	10	0%	4,175	23%
Hartford	51,822	10,733	1	21%	8,723	17%	1,441	3%	-	0%	20,897	40%
Killingly	7,592	467	FALSE	6%	152	2%	167	2%	-	0%	786	10%
Manchester	25,996	1,871	FALSE	7%	979	4%	872	3%	32	0%	3,754	14%
Meriden	25,892	1,976	FALSE	8%	1,360	5%	956	4%	11	0%	4,303	17%
Middletown	21,223	3,116	1	15%	1,129	5%	486	2%	25	0%	4,756	22%
New Britain	31,226	3,017	1	10%	1,583	5%	1,109	4%	100	0%	5,809	19%
New Haven	54,967	9,652	1	18%	7,142	13%	891	2%	457	1%	18,142	33%
New London	11,840	1,600	1	14%	490	4%	475	4%	101	1%	2,666	23%
North Canaan	1,587	148	FALSE	9%	-	0%	14	1%	-	0%	162	10%
Norwalk	35,415	2,245	FALSE	6%	1,546	4%	385	1%	667	2%	4,843	14%
Norwich	18,659	2,296	1	12%	796	4%	516	3%	-	0%	3,608	19%
Plainfield	6,229	377	FALSE	6%	196	3%	191	3%	4	0%	768	12%
Putnam	4,299	413	1	10%	63	1%	70	2%	-	0%	546	13%
Stamford	50,573	4,219	FALSE	8%	2,073	4%	383	1%	1,270	3%	7,945	16%
Torrington	16,761	912	FALSE	5%	328	2%	513	3%	17	0%	1,770	11%
Vernon	13,896	1,509	1	11%	470	3%	348	3%	12	0%	2,339	17%
Waterbury	47,991	5,385	1	11%	3,156	7%	1,597	3%	48	0%	10,186	21%
West Haven	22,446	1,024	FALSE	5%	2,119	9%	395	2%	-	0%	3,538	16%
Winchester	5,613	350	FALSE	6%	170	3%	84	1%	-	0%	604	11%
Windham	9,570	1,776	1	19%	597	6%	338	4%	-	0%	2,711	28%
Windsor Locks	5,429	297	FALSE	5%	154	3%	224	4%	-	0%	675	12%
	669,128	72,444	13	54%	42,182	31%	16,302	12%	3,001	2%	133,929	
* Only 13 of 169 municipalities built >= 10% affordable & how much of that was funded by State's coffers?												